

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

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VICTOR EHLERS

Defendant(s)

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Case No. 5:18-MJ-228 (ATB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of April 26, 2018 in the county of Lewis in the Northern District of New York the defendant(s) violated:

Code Section
21 U.S.C. § 841(c)(2)

Offense Description
Possession of a listed chemical knowing it will be used to manufacture a controlled substances

18 U.S.C. § 924(c)(1)(a)

Possession of a firearm in furtherance of a drug trafficking crime

This criminal complaint is based on these facts:

See attachment.

Continued on the attached sheet.



Complainant's signature

Anthony R. Hart, Jr.

Printed name and title

Sworn to before me and signed in my presence.

Date: April 26, 2018



Judge's signature

City and State: Syracuse, New York

Hon. Andrew T. Baxter, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF NEW YORK

AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT

A. Background

I, Anthony Hart, having been duly sworn, do hereby state and depose as follows:

1. I am a Special Agent employed by the United States Department of Justice, Drug Enforcement Administration (“DEA”), and as such I am an “investigative or law enforcement officer” of the United States within the meaning of Section 2510(7) of Title 18, United States Code, that is, an officer of the United States who is empowered by law to conduct investigations and to make arrests for offenses enumerated in Title 21 United States Code, Section 801, et. sec., and Title 18, United States Code, Section 2516. I have been a DEA Special Agent since November, 1999. I am currently assigned to the DEA Syracuse Resident Office, Syracuse, New York. I have participated in numerous successful investigations into illicit drug distribution networks and have interrogated numerous defendants, informants and others who were sellers, distributors, or users of narcotics and other illicit drugs. Also, I have been involved in the monitoring, intercepting and recording of court-ordered wiretaps, and have participated in numerous search warrants/arrest warrants involving narcotics trafficking. In addition to my above-mentioned experience, I have had the opportunity to speak with and observe other federal and state narcotics officers with regard to the manner in which narcotics are possessed, sold and distributed in the Northern District of New York area. I have participated in numerous searches of residences, businesses and vehicles in which controlled substances, drug paraphernalia, currency and records were discovered. My experience as well as conversations with other law

enforcement officers, as detailed herein, will serve as the basis for any opinions or conclusions set forth below. I have personally participated in the investigation of the offenses set forth below and as a result of my participation and my review of past and present reports made by other Special Agents of the DEA, and other state and local law enforcement agencies, I am familiar with the facts and circumstances of this investigation.

B. Purpose of Affidavit

2. This affidavit is submitted in support of a criminal complaint charging Victor Ehlers with violations of Title 21, United States Code, Section 841(c)(2), possession of a listed chemical knowing it will be used to manufacture a controlled substances, and Title 18, United States Code, Section 924(c)(1)(a), possession of a firearm in furtherance of a drug trafficking crime. I have reviewed reports and discussed the facts detailed herein with other investigators participating in this investigation and determined their information to be reliable. I allege the facts set forth in this affidavit show there is probable cause to believe Ehlers possessed pseudoephedrine, a list I chemical, knowing that it would be used to unlawfully manufacture methamphetamine, a Schedule II controlled substance, and possessed a firearm in furtherance of a drug trafficking crime.

C. Basis of Information

3. As a result of my personal participation in this investigation, I am familiar with all aspects of this investigation. I have not included each and every fact known to me concerning the investigation. I have set forth only the facts that I believe are necessary to establish the necessary foundation for the criminal complaint.

D. Status of the Case

4. On April 26, 2018, your affiant and other members of the DEA Drug Task Force

assisted the New York State Police with a state authorized search warrant for a residence located at 4267 Cherry Street, Lyons Falls, NY and the person of Victor Ehlers. This was the primary residence of Victor Ehlers and his sister, A.B.. The search warrant was the culmination of a joint drug investigation into the methamphetamine trafficking activities of Victor Ehlers and other co-conspirators.

5. After police entered and secured the residence, law enforcement became aware that Victor Ehlers was not present and was possibly staying with his wife at 7488 South State Street, Apartment 1, Lowville, NY. Given this information, agents responded to South State Street and encountered Ehlers in the driveway of the residence. Ehlers was taken into custody and patted down for officer safety purposes. Agents recovered a glass vial containing approximately .6 grams of white in color powder which field-tested positive for the presence of methamphetamine, a magazine of ammunition, and a silver and black in color handgun with magazine containing 16 rounds of ammunition. The handgun did not have a serial number indicating to your affiant it was likely a "Ghost Gun," which references a gun comprised of unassembled parts purchased online in which the purchaser can put together himself. Under the bed agents recovered an Anderson Manufacturing 308 caliber Assault Rifle, Norinco SKS 7.62 Assault Rifle, and a Ruger SR 5.56 Assault Rifle.

6. Written consent to search the apartment was authorized by Ehlers' wife. Pursuant to the written consent, agents responded to the master bedroom closet of the apartment and located a black suitcase. Inside the suitcase agents recovered approximately .5 grams of white in color powder which field-tested positive for the presence of methamphetamine and 3.8 grams of powder which field-tested positive for the presence of Heroin/Fentanyl, as well as 177 pseudoephedrine tablets, the primary methamphetamine precursor. Additionally a debit card,

cupcake holders, a digital scale, and plastic baggies in the name of Victor Ehlers were recovered. Located in a black bag in the closet, investigators recovered a Glock 9mm handgun and 17 rounds of ammunition, an Advantage Arms .22 caliber handgun with 10 rounds of ammunition, a Ruger .22 caliber revolver, and a Smith and Wesson .40 caliber handgun with 8 rounds of ammunition, additional rounds of ammunition and firearms accoutrements and accessories including what appeared in your affiant's training and experience to be an (3) aftermarket silencers. Ehlers' wife provided a written statement to investigators that the items were not hers and that they had been brought to the apartment by her husband.

7. Investigators conducted the search warrant at 4267 Cherry Street, Lyons Falls, NY and recovered three containers of white in color powder from A.B.'s bedroom weighing approximately 11 grams, which field-tested positive for the presence of methamphetamine. Agents also recovered the following items which are indicative of clandestine methamphetamine manufacturing; Pseudoephedrine pills, Lithium batteries (Catalyst), funnels, tubing, coffee filters, lighter fluid (solvent), Butane (Solvent), Crystal Drano (Reagent) and Salt (Reagent). Located in the residence, investigators recovered 13 long guns including; a Remington 12 gauge shotgun, (2) Marlin .22 Rifles, a Harrington and Richardson 12 gauge Shotgun, CVA Black powder Muzzle Loader, Mossberg 20 gauge Shotgun, Remington 870 Shotgun, Remington .223 Rifle, and an FNH Assault Rifle, Berreta Shotgun, Mossburg Shotgun, Spike Tactical Assault Rifle, and Thompson Center Arms .50 caliber Muzzle Loader.

8. Your affiant and other agents interviewed Ehlers at the New York State Police barracks. Following the waiver of his Miranda Warnings, Ehlers stated that the handgun found on him by police was his and that he purchased it as a kit on Ebay. Ehlers stated he used methamphetamine daily and that the methamphetamine on him came from an unnamed source of

supply. Ehlers stated he last smoked methamphetamine the day prior and has shot approximately 10 rounds out of his pistol. Ehlers stated that his sister also uses methamphetamine and that he last made methamphetamine a year ago. Due to Ehlers' conflicting account of what agents knew about the investigation, the interview was terminated and he was transported to the DEA office for arrest processing

E. CONCLUSION

9. Based upon the information detailed above and my experience as a Special Agent with the Drug Enforcement Administration, there is probable cause to believe that Victor Ehlers committed violations of Title 21, United States Code, Section 841(c)(2), possession of a listed chemical knowing it will be used to manufacture a controlled substances, and Title 18, United States Code, Section 924(c)(1)(a), possession of a firearm in furtherance of a drug trafficking crime.



ANTHONY R. HART, Jr.
Special Agent
Drug Enforcement Administration

Subscribed and sworn to before
me this on this 26th day of April,
2018, at Syracuse, New York



Honorable Andrew T. Baxter
United States Magistrate Judge